

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SHIRLEY A. ROBERTS,

Plaintiff,

vs.

Civ. No. 01-1262 MCA/WWD

DEBORAH HARTZ, Secretary of the
New Mexico Children, Youth and Families
Department, SANDIE DOUGLAS, Head of
the Protective Services Division, JOHN AND
JANE DOE, unknown foster/adoptive parents
of Ashley Rene Roberts, THOMAS KUKER,
Special Agent in Charge, Albuquerque Division
of the F.B.I.,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiff's Motion to Reconsider Initial Scheduling Order (Docket #49) filed February 22, 2002. No response to the motion is yet due; however, under the circumstances, the motion can be addressed without a response. The form Initial Scheduling Order I entered on January 14, 2002, set a scheduling conference for February 26, 2002, and directed that certain things be done in preparation for the scheduling conference. The conference was held with Plaintiff and defense counsel as scheduled, and Plaintiff was given advice as to how to prepare her part of the Initial Pre-Trial Report as well as being allowed to shorten the discovery schedule to ninety days as she requested. An Order was entered memorializing the conference. The present motion for reconsideration should be properly

determined by the judicial officer who entered it. The motion is now moot. Most of the assertions in the motion are misleading or untrue; and, likewise, most of the conclusions are incorrect.

WHEREFORE,

IT IF ORDERED that Plaintiff's Motion to Reconsider Initial Scheduling Order [docket no. 49] is **DENIED**.

A handwritten signature in black ink, appearing to read "William B. Deaton", is written above a horizontal line.

UNITED STATES MAGISTRATE JUDGE